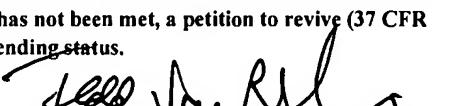


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| FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>(REV 5-93)   |  | ATTORNEY'S DOCKET NUMBER<br><b>80337.0034 US</b><br>U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><b>101562954</b><br>To Be Determined |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/US05/001958   | INTERNATIONAL FILING DATE<br>21 January 2005 | PRIORITY DATE CLAIMED<br>23 January 2004   |
| TITLE OF INVENTION<br>IMPLANTABLE DEVICE FASTENING SYSTEM AND METHODS OF USE   |  |  |
| APPLICANT(S) FOR DO/EO/US<br>BIRK, Janel; COE, Frederick, L.; and HOYT, Robert, E., Jr.  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> |  |  |
| Items 11 to 20 below concern other document(s) or information included:  |  |  |
| <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98, PTO Form 1449 and copy of International Search Report.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>17. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard</p>  |  |  |

IAP20 Rec'd PCT/PTO 30 DEC 2005

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|---|--------------|--|---|-----------|
| O. (11/00, sec 37 CFR 1.50)   |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2005/001958 | ATTORNEY'S DOCKET NUMBER<br>80337.0034 US |           |
| 20. <input checked="" type="checkbox"/> The following fees are submitted:   |              |  | CALCULATIONS                              |           |
| <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):</b>  |              |  |   |           |
| Basic National Stage fee ..... \$300.00   |              |  |   |           |
| National Stage Search fee ..... \$500.00  |              |  |   |           |
| National Stage Examination fee ..... \$200.00   |              |  |   |           |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |              |  | \$ 1000.00                                |           |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))   |              |  | \$  |           |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                                       | RATE                                      |           |
| Total Claims  | 38 - 20 =    | 18   | x \$ 50.00                                | \$ 900.00 |
| Independent Claims  | 5 - 3 =      | 2  | x \$ 200.00                               | \$ 400.00 |
| <b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>  |              |  | + \$ 360.00                               | \$        |
| For every 50 sheets or fraction therof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium)   |              |  | + \$ 250.00                               | \$        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |  | \$ 2300.00                                |           |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.  |              |  | + \$                                      |           |
| <b>SUBTOTAL =</b>   |              |  | \$ 2300.00                                |           |
| Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))  |              |  | \$  |           |
| <b>TOTAL NATIONAL FEE =</b>   |              |  | \$ 2300.00                                |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property  |              |  | \$  |           |
| <b>TOTAL FEES ENCLOSED =</b>  |              |  | \$ 2300.00                                |           |
|   |              |  | Amount to be refunded:                    |           |
|   |              |  | charged:                                  | \$2300.00 |
| <p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-3024</u> in the amount of <u>\$2300.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3024</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charge to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |              |  |   |           |
| <p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p>   |              |  |   |           |
| <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Hogan &amp; Hartson L.L.P.</b><br/>875 Third Avenue<br/>New York, New York 10022<br/>Customer No.: 41913</p>   |              |  |   |           |
| <br><p>SIGNATURE</p>  |              |  |   |           |
| <p>NAME<br/><u>Tedd W. Van Buskirk</u></p>  |              |  |   |           |
| <p>REGISTRATION NUMBER<br/>46,282</p>   |              |  |   |           |
| <p>Date: 12/30/2005</p>   |              |  |   |           |